

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6976

BILL NUMBER: HB 1262

NOTE PREPARED: Jan 8, 2012

BILL AMENDED:

SUBJECT: Municipal Drainage and Utilities.

FIRST AUTHOR: Rep. Morris

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: This bill provides that a municipality may acquire exclusive authority over storm water collection and disposal systems within its jurisdictional boundaries through the adoption of an ordinance. It requires a municipality to provide advance notice of the meeting at which the final vote on the ordinance will be taken to: (1) owners of lots and parcels within the municipality who are subject to storm water user fees; and (2) certain boards.

This bill also provides that a municipality adopting an ordinance is liable for outstanding bonds issued and indebtedness incurred on the storm water collection and disposal systems located within its jurisdictional boundaries over which it is acquiring exclusive authority. It requires a municipality acquiring exclusive authority to pay any amounts related to outstanding unpaid bonds and obligations until the indebtedness is fully paid. The bill requires a political subdivision ceding authority over storm water collection and disposal systems to transfer to the municipality acquiring the authority any unencumbered balances accrued before the effective date of the ordinance.

It provides a municipality acquiring authority over the systems with the same duties, right of entry, and right-of-way powers upon private land that are given to county surveyors. This bill excludes a municipality establishing exclusive authority over storm water collection and disposal systems from certain drainage laws. It requires the drainage board of a county to relinquish jurisdiction over ditches and drains located in a municipality that is acquiring exclusive authority over storm water collection and disposal systems within the municipality.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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